

COUNTY OF LINCOLN

New Mexico Regular Meeting Board of County Commissioners

Jackie Powell, Chair
Mark Doth, Vice Chair

Kathryn Minter, Member
Dallas Draper, Member
Preston Stone, Member

Minutes Tuesday, May 14, 2013

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on May 14, 2013 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. Call to Order

Chair Powell called the Regular Meeting of the Board of County Commissioners to order at 8:31:28 AM.

2. Roll Call

Roll Call.

Present: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and Rhonda Burrows, County Clerk.

3. Invocation

The invocation was presented by Pastor Hayden Smith

4. Pledge of Allegiance

- A. Pledge – U.S. A. Flag- Commissioner Stone
- B. Salute – N.M. Flag – Chair Powell

5. Approval of Agenda

Motion: Acceptance of the Agenda and authorized the Chair to move items as necessary.

Action: Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

6. Approval of Minutes

- A. April 16, 2013 Regular Commission Meeting
- B. April 25, 2013 Special Commission Meeting

Motion: Approve the minutes of the April 16, 2013 Regular Commission Meeting and the April 25, 2013 Special Commission Meeting. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

7. Approval of Consent Agenda

- A. Payroll/Accounts Payable/Budget/ Expenditures
- B. Treasurer's Financial Report for the Month ending April 30, 2013

Motion: Approval of Consent items as presented. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT A: Copies of Consent Items are attached hereto in reference thereto made a part hereof.

8. Smokey Bear District Ranger Update

Ranger Warnack discussed the Mescalero Apache Tribal proposition for acquisition of approximately 860 acres of US Forest Service land at Ski Apache currently leased to the tribe under a USFS Special Permit. Ranger Warnack stated meetings were held between tribal representatives and the Southwest Regional Office of the USFS concerning this acquisition. Ranger Warnack stated the USFS was researching and assessing the authority for acquiring land through a land exchange and noted tribal representatives were also seeking options for acquisition by Congressional legislation. Ranger Warnack voiced understanding of concerns by residents of Lincoln County and stated ongoing discussions would involve public input. Ranger Warnack stated he would be meeting with Mescalero Tribe representatives that week and requested the input of the Board of County Commissioners regarding concerns or issues.

Chair Powell stated opposition to the proposal due to the potential impact to water issues and suggested the Board of Commissioners write a letter of opposition. Commissioner Stone stated this was not a land issue but a water issue and to relinquish control of the water would be disastrous for the surrounding communities. Commissioner Draper questioned if Congressional legislation was pending at that time. Ranger Warnack stated he was unaware of any specific legislation. Commissioner Doth reminded the original intent of National Forest lands was to protect the headwaters for public use.

Motion: Direct the Manager to write a letter of opposition to the proposed transfer of USFS land to the Mescalero Apache Tribe. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Chair Powell expressed disappointment in the County's congressional delegation for not keeping the Commission informed as required by the language of Lincoln County's Comprehensive Land Use Plan.

Ranger Warnack informed all districts within the Lincoln National Forest were now under Stage II Fire Restrictions. Ranger Warnack stated the USFS would continue to monitor conditions and would consider additional restrictions including closure if conditions warranted.

Ranger Warnack informed cooperating agencies including the Bureau of Indian Affairs (BIA), the USFS, and the Sierra Blanca Airport had secured a SEAT plane to be staged at Sierra Blanca Airport beginning May 19, 2013. Ranger Warnack explained the USFS was providing a tanker base manager and the necessary retardant. Ranger Warnack stated additionally, the Bureau of Land Management would station an additional SEAT plane and the USFS Regional Office had assigned a Type II Helicopter to the Sierra Blanca Airport.

Commissioner Draper commented on the persistent rumor in the community that USFS personnel were instructed "to let fires burn". Ranger Warnack stated this was untrue and informed he had instructed his staff to utilize all resources available to aggressively perform initial attack and to work to fully suppress any fire.

Commissioner Stone questioned if the Smokey Bear Ranger District planned to reduce the number of grazing permittee's or the numbers of grazing stock within the District. Ranger Warnack stated any reductions would be conducted only with the participation of the permit holders. Ranger Warnack discussed the impact of drought and the increasing grazing impact of elk. Ranger Warnack stated he had discussed these topics recently with the Lincoln National Forest Permittee Association.

9. Greentree Solid Waste Authority (GSWA) Update

Debra Ingle, Operational Supervisor for GSWA provided the minutes of past GSWA meeting as requested. Ms. Ingle provided data on illegal dumping which tended to increase during the spring and summer months. Ms. Ingle commented the current recycling report reflected fluctuations in the market for recyclable materials. Ms. Ingle stated GSWA would "stockpile"

materials to take advantage of price increases. Ms. Ingle discussed various recycling programs including a recent tire recycling and planned events recycling textbooks and large metal items.

Commissioner Minter questioned when the exemption from certain State environmental requirements for clean-up of asbestos contaminated materials after the Little Bear Fire would expire. Ms. Ingle stated the exemption would expire July 6, 2013. Ms. Ingle stated GSWA had only been contacted by 4 homeowners of the potential 124. Commissioner Minter stated belief there were approximately 60 sites left for clean up based on a report from Paul Baca, Assessor.

Commissioner Stone stated he had received an inquiry about dumpsters at Pine Lodge and the time element for pickup. Commissioner Stone requested permission to forward the email to Ms. Ingle. Ms. Ingle stated she would handle the inquiry and discussed the multiple locations of dumpsters in the area.

Ms. Taylor questioned if there would be an opportunity for County residents to dispose of large appliances in the County rather than at the recycling events held in the Village of Ruidoso. Ms. Ingle discussed the capability of area residents to utilize the Hondo site on the first Saturday of each month. Ms. Ingle informed GSWA now opened the Greentree site the second Saturday of each month for disposal of appliances rather than providing multiple "clean ups" at different locations in the County.

10. Lincoln County Detention Center Update

Warden Arthur Anderson reported on bookings and releases for the month with an average daily population of 148. Warden Anderson reported there were no outstanding issues or needs for the facility at this time.

Commissioner Draper noted the facility's capacity was 144 with the current average population of 148 daily. Commissioner Draper questioned how the issue of being over capacity was handled. Warden Anderson stated measures were in place to transfer prisoners and at times to decline to house prisoners for other entities such as the BIA or the US Marshalls.

11. 9:00 A.M.: Lodger's Tax Applications with backup material:

Commissioner Doth recused himself and left the meeting at 9:07:15 AM.

- A. Application 1694: Chamber Music Festival; \$2,000; Advertising;
Event Date: July 27, 2013

Motion: Approve Application 1694 for \$2000. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Draper.

Abstain: Commissioner Doth.

- B. Application 1693: Billy the Kid Scenic Byway; \$10,000; Annual Brochure

Commissioner Stone expressed concerns about a potential conflict with the relationship of the sponsor of the application, Laura Doth. Commissioner Minter stated understanding the request for funding was for distribution only and not for printing for which Ms. Doth was responsible. Chair Powell disagreed a conflict of interest existed as Commissioner Doth had recused himself from the vote.

Motion: Approve Application 1693 for \$10,000. **Action:** Approve. **Moved by** Chair Powell, **Seconded by** Commissioner Draper

Vote: Motion failed (**summary:** Yes = 2, No = 2, Abstain = 1).

Yes: Chair Powell, Commissioner Draper.

No: Commissioner Minter, Commissioner Stone.

Abstain: Commissioner Doth.

Commissioner Doth returned to the meeting at 9:14:12 AM.

- C. Application 1695: Alto Artists Studio Tour; \$1,500; Advertising;
Event Date: August 1-4, 2013

Motion: Application 1695 for \$1,500. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

12. Memorial Day Proclamation

Ms. Taylor informed the purpose of the item was to acknowledge and recognize the significance of Memorial Day. Ms. Taylor read the proposed Proclamation which referenced the date of May 5, 1866 as the beginning of the current tradition to memorialize and remember those who have served in the defense of our country.

Motion: Approve the Memorial Day Proclamation. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

13. Renewal of Fire Restriction Resolution 2012-38

Ms. Taylor presented the proposed resolution and reminded restrictions were initially adopted during the Special Meeting of April 25, 2013 and State Statute required the Resolution be reviewed every 30 days. Ms. Taylor informed some language had been changed to adopt the same restrictions as defined by the USFS for Stage I and II.

Commissioner Doth expressed concern about adopting the Stage II restrictions as overly burdensome to residents on private property. Commissioner Doth stated the mechanical prohibitions might be problematic for some business activities. Commissioner Doth discussed the administrative issues of requiring permits.

Joe Kenmore, Emergency Services Director reported the last two fires were started by mechanical operations such as use of grinding equipment and welders. Mr. Kenmore discussed a fire started last year by discharging a gun at the gun range. Mr. Kenmore voiced support for the restrictions as written.

Attorney Morel informed the Resolution could only be adopted to enforce restrictions previously defined by Lincoln County Ordinance 2011-02. Mr. Morel explained addressing any other restrictions would require amendment of the Ordinance.

Ranger Warnack stated the USFS had experience with the administrative work load generated by the requirement to permit certain activities. Ranger Warnack stated the list of restrictions provided to the County were only used as guidelines in the decision to impose restrictions but noted the USFS had discretion as to what to include in a formal order of restriction or closure.

Motion: Adopt Resolution 2012-38 removing the third "Whereas" and removing language referencing Stage I and Stage II restrictions. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT B: Copy of Resolution 2012-38 is attached hereto in reference thereto made a part hereof.

14. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS

Ricki Pate presented information about the Fraternal Order of Eagles and discussed plans to begin a chapter of the organization in Capitan.

Michelle Caskey, Assets and Information requested feedback concerning plans for the grand opening of the new Professional Office Building. Ms. Caskey presented some specific considerations developed in cooperation with Brad Treptow of Presbyterian. Commissioner Minter expressed appreciation for the opening of the Capitan Clinic including making the building available for public inspection. There was a general consensus to submit suggestions or ideas to the County Manager for consideration at the next meeting.

15. Consideration of Approval or Disapproval of Indigent Health Care Claims

Scott Annala, IHC Administrator presented the Sole Community Provider claims for approval. Mr. Annala processed 97 claims with 93 recommended for approval and 4 recommended for disapproval for a total authorization of \$149,333 for a year to date total of \$1,245,806 and for an approximate monthly average of \$113,255. Mr. Annala stated the program was on track to authorize \$1.35 million of the Sole Community Provider match.

Mr. Annala presented the Indigent Health Care Payments request for the month. Mr. Annala processed 91 claims with 87 recommended for approval and 4 recommended for disapproval. Mr. Annala stated the total of claims recommended for payment this month was \$27,593. Mr. Annala stated the total year to date Indigent Claims including this month's claims would be \$260,155 for a monthly average of \$23,650 by comparison. Mr. Annala anticipated expenditure of \$279,075 of the budgeted amount of \$386,461.

Motion: Approval and denial of the claims as indicated for Sole Community Provider and Indigent Health Care Program payments as recommended. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT C: Copies of the Sole Community Provider and Indigent Health Care Payments are attached hereto in reference thereto made a part hereof.

16. Manager's Report

1. Business Retention Gross Receipt Tax (3/16th) Tracking (FY 13):

<u>Business Activity Month</u>	<u>FY13</u>	<u>FY12</u>	<u>Difference</u>
July	\$ 78,841	\$ 79,726	(\$ 885)
August	\$ 80,921	\$ 86,567	(\$ 5,646)
September	\$ 90,730	\$ 81,314	\$ 9,416
October	\$ 75,315	\$ 72,669	\$ 2,646
November	\$ 71,927	\$ 61,132	\$10,795
December	\$ 72,885	\$ 63,984	\$ 8,901
January	\$ 85,855	\$ 83,853	\$ 2,002
February	\$ 67,615	\$ 65,132	\$ 2,483
March	\$ 58,516	\$ 60,206	(\$ 1,690)
YTD	\$682,605	\$654,583	\$ 28,022
Annualized		\$981,875	

2. **EOC/Fire News.** The Manager provided research on the process of obtaining LED signs for notification of residents and visitors of the level of fire danger and other potential hazardous conditions. The Manager reported the NM Department of Transportation signs available for use were all currently in a state of disrepair. The Village of Ruidoso purchased three signs and the County could partner with them on joint messaging. Harlan Vincent, Assistant Fire Chief for the Village did not recommend purchase of LED signage due to repair costs. The Manager stated she would continue to research options.

Joe Kenmore, Director of Emergency Services discussed US Forest Service plans to authorize PNM to bury approximately 2,100 feet of an existing overhead power line leading to the Buck Mountain Communications Site. Mr. Kenmore expressed belief this action would benefit communications during emergencies by reducing power outages. Mr. Kenmore informed recent fires were primarily small and in grassland as predicted by the fire forecast model.

3. **Slash Update.** Commissioner Doth reported receiving a number of calls and letters regarding the process developed by our Planning Department to have slash and debris properly disposed of. The Manager provided copy of the letter sent to Sun Valley and Alpine Village residents. Callers were inquiring as to their rights and requested information regarding the County policy. Commissioner Doth suggested all residents in the forested areas of the County other than Sun Valley and Alpine Village be sent similar letters with a list of the contractors who perform this work. Based on resident input, Commissioner Doth requested identification of vacant lots with billing addresses to enable GSWA to bill for slash and debris requiring pick-up and hauling.

The Planning department reported the following on the status of progress in Sun Valley Subdivision: Upon inspection on May 7, 2013, the subdivision still had numerous slash piles located along the road; eleven slash piles were removed but new piles were identified since the original list dated April 11, 2013. The Planning Department reported more than half of the notified property owners had contacted the department to discuss the removal of slash. Property owners experiencing the problem of illegal dumping of slash on property were informed this was unlawful and instructed to contact the Sheriff's department. Many Alpine Village subdivision property owners who resided out of the area had indicated a need for additional time to comply.

4. **2013 CDBG Grant Application Hearings.** The Manager reported on the The CDBG Grant hearing held on May 10, 2013. Attending on behalf of the County were Commissioners Jackie Powell, Dallas Draper and Preston Stone; the Manager; Senior Program Directors Ada Hendryx and Rene Montes; architect Howard Kaplan; and Hubert Quintana. Lincoln County was one of 26 local and county governments requesting funding.

Ada Hendryx, retiring Senior Program Director introduced Renee Montes as the new Director. Ms. Montes informed she had worked for the program since 1995 most recently as the site manager for the Hondo Senior Center and expressed optimism for her new position.

5. **Flood Mitigation Efforts.** The Manager reported the County along with various partners was involved in a number of potential flood mitigation efforts to include:

- A. Use of Board of Finance loan/grant for flood mitigation (\$255,000)
 - i. Bonito Road Project
 - ii. Sierra Vista Rehabilitation of Catchment Ponds;
 - iii. Seeding Project in conjunction with the Upper Hondo SWCD.
- B. NRCS- Emergency Watershed Protection Program – Recovery (\$474,000)
- C. CFRP Award Granted to South Central Mountain RC&D
- D. State Forestry
 - i. 2012 Lincoln County WUI (\$255,000);
 - ii. 2013 Sun Valley NFL (\$50,000)
- E. FEMA projects - (\$1.0 million)
- F. FEMA's Hazard Mitigation Grant Program - (\$3.5 million over three years)

6. **Ft. Stanton Fire Dept.** The Manager reported the Memorandum of Understanding (MOU) was being finalized by the State Monuments Department. The Manager anticipated Board of Regents approval of the MOU in July 2013. The Manager reminded advanced planning commenced on the project in September, 2011 for a 3 bay building with a recently updated cost of construction estimated at approximately \$470,000. The County received a \$397,000 legislative appropriation last year, and the fire department had accumulated \$277,000 over several years for the project. The Manager stated there was adequate funding for the construction including eventual furnishing and equipping of the new facility. The Manager stated the County could move forward with initial plans to use Basic IDIQ to construct or in the alternative, proceed with issuing a formal RFP.

Commissioner Doth expressed a preference for the RFP process and noted the CES contract was utilized primarily for smaller projects. Commissioner Minter questioned if Basic IDIQ issued bids for these construction jobs. Ms. Taylor confirmed this was her understanding but was unsure of who might be awarded the bid. Chair Powell noted Basic IDIQ would have a large project pending with the Courthouse expansion and expressed a preference for the RFP. Ms. Taylor suggested the question be placed on the agenda for the next meeting.

7. **SunZia Southwest Transmission Project.** The Manager reported on discussions with John Ryan of SunZia who had requested a meeting to discuss progress of the project with Manager and Commissioners in the near future. The Manager also contacted Adrian Garcia of the BLM, who has oversight responsibilities for the project to gain an understanding of timelines, deadlines, and opportunities to comment.

8. **Building Updates:**

Ruidoso Public Health Building. The gutters and downspouts were installed on the Health Clinic and the north side of the building. Storm water piping and dirt work around the building were to be completed in the near future with

additional work to begin on the existing parking area. The Manager stated project completion including inside restoration was targeted for May 31, 2013.

Courthouse/Sheriff's Complex Expansion. The town of Carrizozo was in the process of vacating the street, deeding the land to the County, and finalizing work necessary to allow the County to commence moving the sewer line. Once in possession of required legal documents, Attorney Morel and Manager will complete review and revision of the CES/Basic IDIQ Agreement contract for approval.

Attorney Morel informed the project was pending plat signatures and the deed to be provided by the Town of Carrizozo's attorney. Attorney Morel stated Carrizozo had requested formal documentation of the plans to relocate the sewer plan and the Town's attorney was to prepare those documents.

- 9. Construction Industries Division / Third Party Inspectors update:** In response to concerns expressed by Commissioner Doth and Commissioner Minter, the Manager provided a summary of discussions and actions on the matter to date.

Commissioner Doth reported he and Commissioner Minter requested assistance with the issue from Lieutenant Governor John Sanchez. Commissioner Minter discussed the confusion created after the Little Bear Fire with the Village of Ruidoso permitting some areas and State CID covering others. Commissioner Minter suggested a request be sent for the Governor's office to identify the statutory authority to deny use of third party inspectors and a request for action by made to the New Mexico Association of Counties to support the use of third party inspectors. There was general consensus to send an additional letter to the Governor regarding the issue.

- 10. PILT and SRS Update:** The Manager stated Niall O'Connor of the Department of the Interior confirmed PILT payments would be distributed this year. The estimate of \$1,536,000 for PILT from the Department of the Interior was slightly higher than the County's estimated amount of \$1,475,786. The Manager provided copy of a letter from Ken Salazar, Secretary of the Interior predicting a 5.1% decrease due to sequestration. Mr. O'Connor also informed FY2014 payments might revert back to 2008 levels and referred the Manager to a NACO Policy Brief which counties and states should utilize to talk to their congressional delegation.

Mr. O'Conner stated the fate of the SRS funds, which the US Forest Service had suggested be returned, was still undetermined. The Manager noted debate continued in Congress as to the legality of any requirement to return disbursed funds.

14. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (continued)

Steven Rath, MD discussed problems encountered as a physician with privileges at Lincoln County Medical Center. Dr. Rath expressed concerns about the recruitment and retention of physicians under Presbyterian's management of LCMC.

17. Liquor License Fees Resolution 2012-34

Rhonda Burrows, Lincoln County Clerk informed as per New Mexico State Statute 1978 7-24-2: "the boards of county commissioners, ...are empowered, by resolution duly adopted, on or before the first day of June of each year to impose an annual, non-prohibitive license tax..."

Ms. Burrows stated the language and the fees referenced in the Resolution were unchanged from previous years.

Motion: Adopt Resolution 2012-34. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Minter.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT D: Copy of Resolution 2012-34 is attached hereto in reference thereto made a part hereof.

18. Amend Resolution 2012-19 Open Meetings Act by Resolution 2012-35

Attorney Morel informed legislation passed during the 2013 State Legislative Session expanded the notification time for posting of agendas from 24 to 72 hours in advance of a meeting. Attorney Morel stated although the effective date for the new statute was June 14, 2013, upon adoption of the new Resolution all agendas would be posted accordingly.

Motion: Adopt Resolution 2012-35. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT E: Copy of Resolution 2012-35 is attached hereto in reference thereto made a part hereof.

19. EMS Week Proclamation

Ms. Taylor presented the proclamation in special recognition of Emergency Medical Services Week designated as May 19th – 25th, 2013.

Motion: Approve the EMS Week Proclamation. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Minter.

Chair Powell thanked all of the EMS personnel in Lincoln County for their service and dedication.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

20. Permission to Auction Surplus Inventory by Resolution 2012-36

Ms. Taylor presented the Resolution which referenced six items valued over \$5,000 at the time of purchase and informed one of the vehicles, a 1979 Ford Fire Engine, was expected to sell for more than \$5000.

Chair Powell questioned where the items were located. Michelle Caskey, Assets and Information reported the items would be sold in an "on line auction" from their current locations.

Chair Powell reminded three elected officials were required to review large items to be auctioned and requested volunteers. Commissioner Minter, Commissioner Draper, and Paul Baca, Assessor volunteered to conduct the review.

Motion: Adopt Resolution 2012-36. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT F: Copy of Resolution 2012-36 is attached hereto in reference thereto made a part hereof.

21. New Medical Provider Agreement No. 51; Tall Pines Medical

Ms. Taylor presented the request pursuant to the Health Care Ordinance 2008-3 requiring all providers who wish to receive IHC funds for patient care to enter into an agreement with the County. Scott Annala, Indigent Health Care Administrator explained the Tall Pines Medical group consisted of Michael Spence, M.D. a prior IHC provider, and Jacqueline Youtsos, M.D.

Motion: Approve Medical Provider Agreement 51. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

22. Amend Professional Services Contract – King Industries

Ms. Taylor discussed the prior approval to hire a Temporary Project Manager for this fiscal year under a professional services agreement to assist with FEMA related activities and the subsequent approval to expand the scope of work to other county needs requiring Project Management/Engineering skills.

Ms. Taylor explained the language of the agreement with King Industries defined payment as a set hourly fee, plus gross receipts tax per hour per project with the total amount not to exceed \$49,950. Ms Taylor explained State Statute allowed procurement of professional services “not exceeding \$50,000, excluding applicable state and local gross receipts taxes”. Ms. Taylor requested permission to modify the Professional Services Agreement to restrict payment “to not exceed the total sum of \$50,000”. Ms. Taylor stated the expanded language would provide for payment of \$2,843.75 of additional services to King Industries for completion of work prior to the end of the fiscal year.

Motion: Amend the Agreement with King Industries authorizing a total compensation of \$50,000. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.

Commissioner Stone questioned if the contract was for services alone or if additional benefits were provided. Ms. Taylor confirmed no benefits were provided. Commissioner Draper questioned if the contract amount was currently in the budget. Ms. Taylor confirmed the contract amount was in the current budget but stated it would be due for negotiation in the next year.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

23. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources Advisory Committee (LANRAC)

Ms. Taylor reported there were no new water right notices posted on the State Engineer’s website since the notice posted by Enchanted Forest Water Corporation of Alto on February 25, 2013.

Ms. Taylor reported there were no topics specific to Lincoln County on the NM Game and Fish website.

Ms. Taylor stated the fire danger level as reported by the Fire Behavior Research Center in Missoula, Montana and the Smokey Bear Ranger District was “High” for Lincoln County. Ms. Taylor commented on the adoption by prior action of Resolution 2012-38 to renew fire restrictions in the County.

26. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance

Attorney Morel reminded after the public hearing scheduled on the current agenda considering revisions to the County Subdivision Ordinance and following the review process by the State, a second public hearing was required prior to final adoption. There was a general consensus to schedule a public hearing for the final adoption of changes to the Subdivision Ordinance for the next Regular Meeting.

Commissioner Minter questioned if Ordinance 2011-02 regarding fire restrictions should be scheduled for Public Hearing. Commissioner Stone stated the fires started by mechanical means were the responsibility of the property owners themselves. There was a general consensus to not consider changes to Ordinance 2011-02 at that time.

Commissioner Minter questioned if the Ordinance related to waste disposal might need to be revisited in view of the ongoing slash problem. There was a general consensus to place the item on the agenda for discussion.

27. Bid/RFP(s) Award:

A. 12-13-14 Rehabilitation of the Sierra Vista Catchment Ponds

Ms. Taylor detailed the bids as follows: Guardiola Construction \$43,534; Eight 14 Solutions \$48,222; Sierra Valley Contractors \$44,888; and Johnson Environment \$50,093.

Motion: Award Bid 12-13-14 to the low bidder Guardiola Construction. **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Minter.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

B. Consideration of June, 3, 2013 Special Commission Meeting to award Bids

Ms. Taylor requested a Special Meeting to award three additional bids on June 3, 2013.

Motion: Schedule a Special Meeting for June 3, 2013. **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Minter.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

28. Consideration of Appointments and Removals from Boards/ Commissioners/ Committees:

A. Tabled – Road Review Advisory Committee

No action was taken.

B. Tabled - Lodger's Tax Committee

Motion: Remove the item from the table. **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Motion: Appoint Ray Dean to the at large general public position. **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Minter.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Commissioner Minter, Commissioner Stone, Commissioner Draper.

No: Chair Powell, Commissioner Doth.

Chair Powell recessed the Regular Meeting at 11:50:10 AM.

Chair Powell convened the Public Hearing at 1:01:53 PM.

24. 1:00 P.M. Public Hearing is to Consider Adoption of an Ordinance 2013-2 Amending Lincoln County Subdivision Rules and Regulations; providing for the severability of parts hereof; providing an effective date, and repeal of Ordinance 2008-01,

Attorney Morel detailed the main revisions and stated the principal revision incorporated in the draft was a requirement for all new subdivisions to possess water rights. Attorney Morel also discussed a number of revised definitions based on recent changes in State Statute.

Attorney Morel directed attention to Article 17 of the Ordinance titled "Water Availability Plan" and detailed the changes incorporated requiring water rights by all subdivisions. Attorney Morel discussed the deletion of references to "shared wells"; deletion of references to "individual or domestic wells"; and the insertion of language requiring that all subdivisions of lots less than five acres, containing six or more parcels, "shall provide proof that the person providing the water has valid water rights recognized by the State".

Chair Powell requested public comment.

Eric Collins, President of D.T. Collins and Assoc. Land Surveying in Ruidoso, acknowledged the current drought and fire dangers existing in the County and suggested the proposed changes were an unnecessary "emotional response" to those conditions. Mr. Collins noted no subdivisions had been proposed since the last revision of the Subdivision Ordinance and expressed concern those changes were "untested". Mr. Collins commented on the ongoing protests in Lincoln County to any request to transfer water rights. Mr. Collins questioned the viability of any one person obtaining water rights for a summary development of five lots.

Buck Buchanan, resident of Eagle Creek mentioned efforts by himself and his neighbors to oppose a large development proposed for their area. Mr. Buchanan informed he had subsequently purchased the property and requested an exception made for developments of less than five parcels of more than ten acres.

Tony Sheehey, President of the Home Builders Association stated opposition to the proposed changes as a detriment to new development particularly for affordable housing. Mr. Sheehey suggested conservation measures be utilized rather than restrictions.

James Russ, President Elect for the Ruidoso Association of Realtors informed the Board of Realtors had voted unanimously to oppose adoption of the revisions.

Mary Weaver, Realtor and Chair of the Little Bear Fire Reform Committee questioned if there were scientific evidence of the water problems and whether the requirement for water rights was an infringement on current private property rights.

Chair Powell recessed the Public Hearing to consider revisions to the Subdivision Ordinance; convened the Public Hearing to adopt the Preliminary Budget; recessed the Public Hearing to adopt the Preliminary Budget, and reconvened the Public Hearing to consider the Subdivision Ordinance at 1:34:48 PM.

James Sanchez, retired educator and rancher from Lincoln, expressed belief as an owner of water rights that water rights should also be protected as a private property right. Mr. Sanchez commented on declining water levels in domestic wells and the consequences to the current residents, particularly agricultural users. Mr. Sanchez expressed belief the added restrictions would not stop development.

Doug Thompson, member of Lincoln County Homebuilders Association commented on residential versus agricultural water use and suggested without metering of water usage there could be no control.

Chair Powell recessed the Public Hearing and reconvened the Regular Meeting at 1:46:30 PM.

Chair Powell discussed Lincoln County's critical water basin status. Chair Powell discussed the implications of long term drought and noted the Village of Ruidoso currently planned to pump water from Carrizo Creek due to Emergency Conditions. Chair Powell noted domestic well pumping in one subdivision had begun to affect neighboring subdivisions and discussed the potential long term effects on deep aquifers. Chair Powell stated restrictions could be revisited in the future should conditions improve.

Commissioner Minter reminded the County was conducting a multi-year water study with USGS. Commissioner Minter noted recent legislative actions by the State of New Mexico were of a similar nature to the revisions presented.

Commissioner Draper expressed opposition to the proposed changes and suggested a moratorium as a better solution. Commissioner Draper questioned Attorney Morel if other counties had adopted an Ordinance as restrictive as the one presented. Attorney Morel informed Santa Fe County had a more restrictive Ordinance but noted other counties probably had less restrictive ordinances. Commissioner Draper expressed belief the market would provide for "corrections" based on the 10,000 lots currently available in the County. Commissioner Draper further stated adoption of the revisions would not actually save any water and expressed a desire to establish conservation measures.

Commissioner Stone expressed belief in private property rights. Commissioner Stone stated while he did not normally advocate adoption of restrictive actions he was convinced of the current lack of water available within the County.

Motion: Approve the proposed revisions to the Subdivision Ordinance to be presented to the State of New Mexico for review. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Minter.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth.

No: Commissioner Draper.

Chair Powell recessed the Regular Meeting at 2:03:05 PM.

25. 1:30 P.M.: Public Hearing to consider the following: Adoption of the Preliminary Budget, FY 2013-2014 by Resolution 2012-37 and Consideration of Adoption of the Preliminary Infrastructure Capital Improvements Plan (ICIP)

Chair Powell reconvened the Public Hearing to consider adoption of the Preliminary Budget for FY 2013-2014 at 2:17:30 PM.

Ms. Taylor presented the proposed Preliminary Budget after incorporation of actions and proposed changes from the Special Meeting of May 3, 2013. Ms. Taylor presented a timeline for budget development and ultimate submittal to DFA for approval.

Ms. Taylor discussed the approvals from the last meeting and presented a list of remaining items for consideration to include a potential employee wage increase. Ms. Taylor noted the ICIP plan had been revised based on suggestions from the May 3, 2013 meeting and detailed the timeline for submission of the ICIP.

Ms. Taylor recommended considering action on the request for NM Acequias Association dues and the ICIP prior to discussion of additional budget considerations.

Chair Powell recessed the Public Hearing and reconvened the Regular Meeting at 2:24:00 PM.

Motion: Approve NM Acequias Association dues of \$1,000.00. **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Chair Powell questioned if it was appropriate to approve funding for roof repairs of the La Casa Clinic in Hondo as the building was owned by the Hondo Schools. Attorney Morel stated he would need to review the lease agreement to determine if the County was responsible for facility repairs. Ms. Taylor informed the request was presented recently by La Casa but the damages had occurred in 2010.

Motion: Decline funding request for reimbursement of roof repairs to La Casa Health Clinic. **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.

Commissioner Minter requested the Attorney review the lease to determine if the County had a responsibility to cover repairs. Attorney Morel stated he would review the lease for any legal obligation.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

No: Commissioner Minter.

Ms. Taylor provided an analysis of a potential wage increase by percentage. Ms. Taylor also provided information regarding the impact of increased insurance and other wage deductions to county employee salaries.

Commissioner Doth questioned the County/Employee share of insurance costs. Ms. Taylor informed the premium cost share was County 80% and Employee 20%. Punkin Schlarb, Finance Director informed increased insurance costs effective July 1, 2013 were incorporated into the Preliminary Budget. Commissioner Doth questioned if there were changes to costs for the Public Employee Retirement Association. Ms. Schlarb stated there were no changes to PERA costs at this time.

Commissioner Doth questioned if it would be prudent to consider reducing cost share coverage with employees to medical care only and shifting costs for vision and dental to the employees. Commissioner Stone recommended revisions to the benefits package be considered only after careful consideration.

Motion: Approve a 3% wage increase for employees. **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stone.

Chair Powell requested any wage increase be contingent upon the PILT payment.

Commissioner Minter voiced support for a 2% raise versus a 3% to protect the taxpayer. Commissioner Draper spoke in support of the 3% raise as a virtual break-even point for employees to accommodate increased insurance costs.

Paul Baca, Assessor commented on the increase of valuation since the Little Bear Fire and noted valuation was now \$30 million higher than the previous year. Glenna Robbins, Treasurer informed the proposed budget was based on last year's property values and last year's tax rates. Ms. Robbins informed once the values and rates were established for the new fiscal year the increase in revenues would be adjusted in the budget. Ms. Robbins reminded beginning cash values would also typically be adjusted upward and expressed belief there was more than sufficient funding to cover a potential 3% wage increase.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).
Yes: Chair Powell, Commissioner Stone, Commissioner Draper.
No: Commissioner Minter, Commissioner Doth.

Chair Powell recessed the Regular Meeting and reconvened the Public Hearing at 3:40:08 PM.

Ms. Taylor presented proposed changes to the ICIP. Ms. Taylor suggested the list continue to be revised prior to finalization.

Commissioner Minter suggested proposed funding requests be revised to reflect the anticipated actual cost of each project.

There was a general discussion about the funding of the ongoing USGS water study. Commissioner Doth commented on the nature of the USGS serving as a data collection agency only and suggested the funding would be better spent on hiring a consultant to interpret the data. Commissioner Minter requested the State Engineer be questioned as to the potential use of the data. Chair Powell opined it would be best to move the item further down the ICIP list at this time.

Chair Powell suggested the improvements to the courthouse complex be moved up to first priority and the Hondo Fire Station be listed as second priority.

Ms. Taylor reminded of the need to move the site for the Road Department Yard. Carl Palmer, Road Superintendent commented on potential sites to move the Road Department Yard and the complications identified at each of the two potential sites.

Commissioner Stone commented on the value of the additional property purchased adjacent to the fairgrounds and suggested there was an opportunity to generate revenue from those facilities. Chair Powell reminded a Master Plan had been commissioned for development of the property and noted the principal decision for the property development was whether to install a bridge which would accommodate a Road Yard.

There was a general consensus to place the items in the following order: 1) County complex/energy audit improvements; 2) Fairgrounds bridge; 3) Hondo Fire Station; 4) Glencoe bridge; and 5) White Oaks Fire Station

Chair Powell adjourned the Public Hearing and reconvened the Regular Meeting at 4:03:53 PM.

Motion: Adopt Resolution 2012-37 removing the second and third paragraphs referring to the mill levy. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).
Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Ms. Taylor stated the Resolution required language defining the mill levy rates, but informed the Resolution could be adopted with the current language and then be revised after the workshop to discuss the mill levy budget.

Motion: Rescind the Adoption of Resolution 2012-37 with language removed. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).
Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Motion: Adopt Resolution 2012-37 as presented. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

SEE EXHIBIT G: Copy of Resolution 2012-37 is attached hereto in reference thereto made a part hereof.

29. Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).

Motion: To close the meeting for the purposes of an Executive Session to discuss Pending and/or Threatened Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub Paragraph H.(7) and the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8) and as follows:

New or Updated Matters since last report = *

1. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County, et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory Judgment Ordering Production of Certain Records and Information.
2. *Green Tree Servicing, LLC v. William T. Joiner, Lincoln County, et. al.* D-1226-CV-2010-394. Suit filed November 17, 2010. Complaint for Enforcement of Contract and Foreclosure of Security Interest and Mortgage.
3. *Luis Grife as Personal Representative of The Estate of Arturo Grife, Jr., and Lizeth Grife v. County of Lincoln.* D-1226-CV-201100148. Complaint for Wrongful Death and Negligence, Jury Demand.
4. *New Mexico Ranch Sales v Mary T. Greene, LC Treasurer, et. al.* D-1226-CV-2011-00226. Suit filed August 1, 2011. Complaint In Rem to Foreclosure Mortgage Upon Real Property.
5. *Michael Wheaton v Paul F. Baca, Lincoln County Assessor, et. al.* D-1226-CV- 2011-00341. Suit filed October 18, 2011. Notice of Appeal of Final Order of the Lincoln County Valuation Protests Board.
6. *New Mexico Ranch Sales v Marianne Clark, LC Treasurer, et. al.* D-1226-CV-2011-00409. Suit filed November 17, 2011. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
7. *Bank of Clovis v Mona Bryant as Personal Representative of Marjorie Bryant (deceased), Village of Ruidoso, Lincoln County, et al.* D-1226-CV-2011-00429. Suit Filed February 10, 2012. Complaint for Foreclosure.
8. *New Mexico Ranch Sales v Tammy Palombi-Cade, LC Treasurer, et. al.* D-1226-CV-2012-00042. Suit filed February 13, 2012. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
9. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-2012-00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien.
10. *Alto Lakes Golf & Country Club, Inc. v. Barbara Fleming, and Jesus and Maria Guardiola, et al.* D-1226-CV-2011-00044. Suit filed February 18, 2011. Complaint to Foreclose Lien. Counterclaim and Crossclaim suit filed by Washington Federal Savings on September 21, 2012 naming Board of Commissioners of Lincoln County and Lincoln County Solid Waste Authority.
11. *Johnathan Warren v. Lincoln County Detention Center, Emerald Healthcare Systems, et al.* 2:12-CV-01086-CG-LAM. Suit filed October 19, 2012. Complaint for the Recovery of Damages Caused by the Deprivation of Civil Rights.
12. *Greentree Solid Waste Authority v. Lincoln County, et. al.* D-0101-CV-2013-00104. Suit filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction.
13. *Rio Grande-Alameda, Ltd., v Paul Baca, Lincoln County Assessor* D-1226-CV-2013-00005. Suit filed January 9, 2013. Complaint for Refund of Taxes Paid.
14. *New Mexico Ranch Sales v. Villalba, LC Treasurer, et al.* D-1226-CV-2013-00046. Suit Filed February 15, 2013. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.

Tort Claims Notices Received or Threatened

2013

Montoya, Emilia L. - Tort Claim Notice received by attorney Freda Howard McSwane on April 23, 2013, alleging injuries sustained by Ms. Montoya when a physical altercation took place at the LCDC.

Ramos, Aaron - Tort Claim Notice received by attorney Robert J. Beauvais on April 18, 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety and welfare and violation of his U.S. Constitution Fifth and Sixth Amendment rights.

2012

Cathy and Steve Altstatt – Telephone conference with Cathy Altstatt on April 19, 2012 concerning their unbuildable and unsellable Deer Park Valley lot due to lot size, septic tank set back requirements, and an easement granted to Alto Lakes Water & Sanitation District for a water well.

Riordan, J.T. – Correspondence received from Theresa Riordan on March 28, 2012 concerning her son's treatment and detention conditions while being held in LCDC.

Sheridan, Michael – Tort Claim Notice received from Attorney, Jennifer Burrill on February 21, 2012, claiming the Lincoln County Sheriff's Department forced him to register as a sex offender when he did not meet the requirements.

Biggs, M. Jolene – Tort Claim Notice received from Attorney, Adam Rafkin on February 6, 2012, claiming liability by the County of Lincoln by failing to maintain the surface of the parking lot across from the Lincoln County Courthouse in Carrizozo, NM.

2011

Latham, Diana – Tort Claim Notice received from Attorney, Gary C. Mitchell on October 27, 2011, claiming violation of the late James Latham's constitutional rights resulting from his shooting death by the Lincoln County Sheriff's Department.

Miller, Peggy and Steven - Tort Claim Notice received from Attorney, Gary C. Mitchell on September 26, 2011, claiming negligence by State Forestry and Lincoln County during Donaldson Complex Fire.

Justice, Charles – Tort Claim Notice received from Builders Trust Insurance Company on July 13, 2011 alleging liability by Lincoln County as a result of an auto accident on State Road #368.

Verschueren, Ronald and Constance M. – Tort Claim Notice received by attorney Robert J. Beauvais on June 13, 2011 alleging wrongful arrest by the LCSO.

Meadows Group, LLC - Tort claim notice received May 23, 2011 from attorney George P. Marquez alleging refusal and non-timely production of public records by the County of Lincoln and damages allowed under the Inspection of Public Records Act 14-2-11 NMSA 1978.

Salas, Johnny – Tort claim notice received from Johnny Salas on May 20, 2011 alleging damage to residence caused by a LCSWA (GSWA) garbage truck.

Action: Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth, Commissioner Draper.

Chair Powell recessed the Regular Meeting and convened the Closed Session at 4:10:26 PM.

Chair Powell adjourned the Closed Session and reconvened the Regular Meeting at 5:10:43 PM.

Commissioner Doth attested that no action was taken during the closed session and items discussed were limited to those as stated in the motion for closure.

30. **Signing of Official Documents**

31. **Next meetings:**

- A. Special Meeting - June 3, 2013.
- B. Regular Meeting – June 25, 2013

Attorney Morel informed he had reviewed the contract with the Hondo Schools for the La Casa Clinic and found funding for roof repairs could be made from mill levy funds but there was a requirement for prior approval. Commissioner Minter requested the item be placed on a future agenda for consideration.

32. Adjournment

There being no further business to come before the Board of County Commissioners, Chair Powell adjourned the meeting at 5:12:22 PM.

County of Lincoln
Board of County Commissioners



Jackie Powell, Chair



Preston Stone, Vice Chair



Mark Doth, Member



Dallas Draper, Member



Kathryn Minter, Member

ATTEST:



Rhonda Burrows, County Clerk

June 25, 2013
Date Approved

